

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MISSION PHARMACAL COMPANY

vs.

VIRTUS PHARMACEUTICALS, LLC

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NO: SA:13-CV-00176-OLG

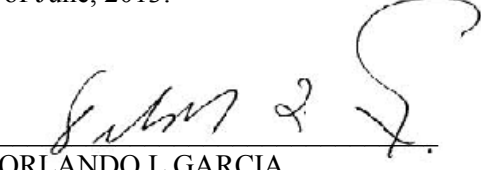
SCHEDULING ORDER

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following Scheduling Order:

1. A report on alternative dispute resolution in compliance with Local Rule CV-88 shall be filed by **Wednesday, July 10, 2013**. REGARDLESS OF WHETHER THE PARTIES CONCLUDE THAT ADR IS APPROPRIATE OR NOT, THE PARTIES SHALL INCLUDE THE NAME, ADDRESS AND TELEPHONE NUMBER OF A COURT-APPROVED MEDIATOR OR A MEDIATOR AGREED UPON BY BOTH PARTIES IN THEIR ADR REPORT. A list of court-approved neutrals and alternative dispute resolution summary form may be obtained at www.txwd.uscourts.gov/forms/mediator.asp. If you do not have access to the internet, you may call the United States District Clerk's office at (210) 472-6550 to obtain a copy.
2. The parties asserting claims for relief shall submit a written offer of settlement to opposing parties by **Thursday, August 08, 2013** and each opposing party shall respond, in writing, by **Thursday, August 22, 2013**.
3. The parties shall file all motions to amend or supplement pleadings or to join additional parties by **Thursday, July 25, 2013**.
4. All parties asserting claims for relief shall FILE their designation of testifying experts and SERVE on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B) by **Thursday, August 08, 2013**. Parties resisting claims for relief shall FILE their designation of testifying experts and SERVE on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B) by **Friday, September 06, 2013**. All designations of rebuttal experts shall be FILED, and the materials required by Fed. R. Civ. P. 26(a)(2)(B) for such rebuttal experts, to the extent not already served, shall be SERVED, within 14 days of receipt of the report of the opposing expert.
5. An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within (14) days of receipt of the written report of the expert's proposed testimony, or within (14) days of the expert's deposition, if a deposition is taken, whichever is later.
6. The parties shall complete all discovery on or before **Thursday, October 10, 2013**. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.

7. All dispositive motions shall be filed no later than **Thursday, October 24, 2013**. Dispositive motions as defined in Local Rule CV-7(h) and responses to dispositive motions shall be limited to 20 pages in length.
8. The parties shall mediate this case on or before **Thursday, October 17, 2013**, unless the parties seek an order from the Court excusing them from mediation.
9. This case is set for **pretrial conference on Thursday, January 30, 2014 at 10:30 a.m**
The parties should consult Local Rule CV-16(e) regarding matters to be filed in advance of a pretrial conference and/or trial.
10. This case is set for **jury selection and trial on Monday, February, 03, 2014 at 9:30 a.m.**

SIGNED AND ENTERED this 5th day of June, 2013.



ORLANDO L GARCIA
UNITED STATES DISTRICT JUDGE
